

Pub. Imp. _____
Govt. Grnt. _____
Emer. _____
P. Hrngs. _____
Pgs. 4
Filed: 03-06-12

Sponsored by: Bieker

First Reading: March 12, 2012

Second Reading: March 26, 2012

COUNCIL BILL NO. 2012- 070

GENERAL ORDINANCE NO. 5980

AN ORDINANCE

1 AMENDING Chapter 36, Article III of the Springfield City Code, known as the Land
2 Development Code, by repealing Sub-Article XV, Private Sewage
3 Disposal Code, in its entirety, and enacting in lieu thereof a new Sub-
4 Article XV, Private Sewage Disposal Code.
5 _____
6

7 BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, MISSOURI, as
8 follows, that:
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10 Section 1 – General Ordinance No. 5631 is hereby repealed.
11

12 Section 2 – Adoption of 2012 International Private Sewage Disposal Code. The
13 City Council hereby adopts the International 2012 International Private Sewage
14 Disposal Code as published by the International Code Council and all referenced
15 standards as if spelled out herein, save and except such portions thereof as are
16 hereinafter deleted, modified or amended. This Code shall be designated as Sub-Article
17 XV, Private Sewage Disposal Code, of Chapter 36, Article III of the Springfield City
18 Code, known as the Land Development Code. One (1) copy of said Code is on file in
19 the office of the City Clerk, Busch Municipal Building, 840 Boonville Avenue, Springfield,
20 Missouri.
21

22 Section 3 – Deletions, modifications, amendments and additions.
23

24 The 2012 International Private Sewage Disposal Code, as adopted, is hereby amended
25 and changed as follows:
26

27 A. Repeal Chapter 1 in its entirety. Requirements of this chapter are included in
28 Chapter 36, Article III of the Springfield City Code, known as the Land Development
29 Code, Sub-Article XII.
30

- 31 B. Amend all chapters that make reference to any section contained in the repealed
32 Chapter 1 by directing all references to Sub-Article XII of the Land Development
33 Code and to those sections in Sub-Article XII that correspond in numbering or
34 content to the referenced section.
35
36 C. Amend all adopted chapters and appendices in accordance with all errata hereafter
37 identified and published by the International Code Council after the date of the first
38 printing of the 2012 International Private Sewage Disposal Code.
39
40 D. Amend Section 406, Site requirements, by repealing Table 406.1 in its entirety.
41
42 E. Amend all chapters that make reference to Table 406.1 by directing all references to
43 standards established by the Springfield-Greene County Health Department and/or
44 the Missouri Department of Natural Resources for all site requirements related to soil
45 absorption systems of a private sewage disposal system.
46
47 F. The following Appendices shall, by adoption of the 2012 International Private
48 Sewage Disposal Code, be considered as part of this Code.
49

50 Appendix A, System layout illustrations

51 Appendix B, Tables for pressure distribution systems
52

53 Section 4 – Savings Clause. Nothing in this ordinance shall be construed to
54 affect any suit or proceeding now pending in any court or any rights acquired or liability
55 incurred nor any cause or causes of action accrued or existing, under any act or
56 ordinance repealed hereby, or shall any right or remedy of any character be lost,
57 impaired, or affected by this ordinance.
58

59 Section 5 – Severability Clause. If any section, subsection, sentence, clause, or
60 phrase of this ordinance is for any reason held to be invalid, such decision shall not
61 affect the validity of the remaining portions of this ordinance. The Council hereby
62 declares that it would have adopted the ordinance and each section, subsection,
63 sentence, clause, or phrase thereof, irrespective of the fact that any one or more
64 sections, subsections, sentences, clauses, or phrases be declared invalid.
65

66 Section 6 – Penalty Clause. Any person violating any of the provisions of this
67 ordinance, or failing to comply with any order issued pursuant to any section thereof; or
68 who shall erect, construct, alter or repair a building, structure or system in violation of an
69 approved plan or directive of the Code Official or of a permit or certificate issued under
70 the provisions of these Codes shall be guilty of a violation of a municipal ordinance and
71 upon conviction thereof shall be punished as provided for in Section 1-7 of the City
72 Code, except that any fine imposed shall not be less than Two Hundred Dollars (\$200)
73 for the first offense, Four Hundred Dollars (\$400) for the second offense, and Five
74 Hundred Dollars (\$500) for every offense thereafter. Each day that a violation
75 continues, after a service of notice as provided for in these Codes, shall be deemed a
6 separate offense. Notice as set forth in Section 36-1267 shall not be required in order

77 to prosecute a person for a violation of any provision of this article or these Codes,
78 except such notice shall be required to prosecute a person for failure to comply with an
79 order.

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81 Section 7 – This ordinance shall be in full force and effect from and after
82 May 1, 2012.

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84 Passed at meeting: March 26, 2012

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88 Mayor

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90 Attest: Brenda M. Cuito, City Clerk

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94 Filed as Ordinance: March 26, 2012

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97 Approved as to form: Duke McDonald Assistant City Attorney

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100 Approved for Council Action: Greg Burt City Manager

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103 N:\SHARE\CBILLS - 2012\02-27-12\Private Sewage Disposal_ord.docx

Affected Agency Notified: _____
Emergency Required: _____
Budget Adjust. Required: _____
Board Rec. Required: _____
Public Hearing: _____
Sponsor: _____
Date: _____

EXPLANATION TO COUNCIL BILL NO. 2012-070

ORIGINATING DEPARTMENT: BUILDING DEVELOPMENT SERVICES

PURPOSE: To amend certain Sections of Chapter 36, Article III of the Springfield City Code known as the Land Development Code, to provide the City of Springfield with the most recent Private Sewage Disposal Code.

BACKGROUND AND REMARKS: The current private sewage disposal code enforced by the City is the 2006 International Private Sewage Disposal Code. With the adoption of the 2012 International Private Sewage Disposal Code, the City will be adopting the most up-to-date, nationally recognized private sewage disposal code. The provisions contained within this ordinance do not unnecessarily increase construction costs; do not restrict the use of new materials, productions, or methods of construction; and do not give preferential treatment to particular types or classes of materials, products, or methods of construction.

The Building Development Services Department has met with representatives of the local design and construction industry over the course of the past nine months to discuss the ramifications of adopting this new code. Comments were requested from designers, electricians, plumbers, mechanical contractors, gas fitters, general contractors, developers, and others that may be affected by the adoption of this code. The language of this ordinance was placed on the City website for review by the members of the Home Builders Association, Springfield Contractors Association, Missouri Society of Professional Engineers, the local chapter of the American Institute of Architects, and the Development Issues Input Group. Discussions with the Development Issues Input Group resulted in a consensus to move forward with the adoption of this code, provided a mechanism is put in place to allow the staff of Building Development Services to consider alternative design standards and practices beyond those described in the 2012 Private Sewage Disposal Code.


This provision has been made as part of the compilation of the administrative chapters of the codes being adopted. The compilation is known as Article XII, Administrative and Enforcement of Codes, of the Land Development Code.

Submitted by:



Building Development Services

Approved by:



City Manager